

1 transmittal date?

2 A Right.

3 Q Whose name is that?

4 A John Cobell.

5 Q And how is he?

6 A He's a producer for City Visions.

7 Q Is that, was that a long running program and was
8 the producer throughout?

9 A He was one of the producers, and I think the show
10 is still on the air.

11 Q And do you know whether Mr. Cobell still works for
12 the radio station?

13 A He was a volunteer, he's no longer with the radio
14 station.

15 Q Do you happen to know where he may be?

16 A He is in Washington D.C. He works for the Post
17 Office.

18 Q All right. Now, there's one of the -- there's a
19 date on the very top line of April 5, 2001, but I'm not
20 concerned about that. I'm looking at the second line, there
21 is a marking, I can't really make out that what is, and then
22 it's followed by a date. Do you know what those markings
23 are?

24 A Those look like fax dates and times.

25 Q And when what date follows that?

1 A That would be October 24, 1997.

2 Q Was this document in the station's Public File
3 when you looked in July 1997?

4 A No, it was not.

5 Q Now, a document that follows it bears the title
6 'KALW Carried the Following NPR Programming in the Spring
7 Quarter of 1997", and what does this information mean?

8 A I think this is a key, in fact I know it is a key
9 because I've seen it before as a general manager and program
10 director of Public Radio, this is a key for the underwriting
11 announcements that follow. If you move over here you'll see
12 'FA' again, Fresh Air, and then the programming codes show
13 up on these lines, I believe.

14 Q Okay.

15 A So, when you see them here, so if you go to let's
16 say page three -- well -- page three of 12 here, go to the
17 first line, 'ARTH' is the key, if you look over here, 'WE'
18 means Weekend Edition, the day that it ran, the time that it
19 ran, the host of the show, Scott Simon.

20 Q What is the information in the beginning though,
21 there's other information there that you didn't mention?

22 A Arthritis, I guess, these are also, these are
23 probably themes.

24 Q Oh, references to something that may have been
25 discussed?

1 A Right. So, Childhood, Business, Parks.

2 Q For the line that you are talking about, for
3 example it has 'ARTH' and then it's followed by?

4 A Gout and Arthritis, T-Rex Vicious.

5 Q I just thought T-Rex was vicious anyway, but what
6 do I know. With respect to this particular document, there
7 is a date that appears in the upper right hand portion of
8 the page?

9 A Right.

10 Q What date is that?

11 A March 14, 2001.

12 Q Now, do you have any knowledge as to whether that
13 date has any meaning in terms of when this particular
14 document was generated?

15 A No, since I didn't prepare this, but I would
16 assume that --

17 Q Don't assume.

18 A Don't assume.

19 Q If you know that's fine, if you don't, that's fine
20 too.

21 A I don't.

22 Q Okay.

23 A Sorry.

24 Q Did you see the document that would be 'National
25 Public Radio Program Library Key World Report' and then it's

1 apparently pages two through 12 with the various headings
2 and pieces of information that you just talked about, had
3 you seen this document in the KALW Public File when you
4 looked in July of 1997?

5 A No, I did not.

6 Q And do you recall seeing it in your subsequent
7 viewing of the Public File?

8 A No, I don't recall seeing it.

9 MS. LEAVITT: We're getting close to the end so
10 let me just go through what I have here. If we could take
11 about two minutes.

12 (Off the record at 4:35 p.m.)

13 (Back on the record at 4:49 p.m.)

14 BY MR. SHOOK:

15 Q Mr. Lopez, I managed to, in an effort to try to be
16 very efficient, I managed to pull a declaration from a
17 document that we talked about earlier, so that when I was
18 looking through it, I didn't find it. Well, I'm putting it
19 back and I'm hopeful that counsel for SFUSD will indulge me
20 here a second.

21 This is from the January 20, 1998 Opposition to
22 the Petition to Deny, and I had pulled a declaration that
23 Mr. Ramirez had made, apparently on January 17, 1998, six
24 pages in length. And we had talked briefly about some of
25 the material that is referenced in this declaration. For

1 example, if you look at paragraph four of the declaration,
2 it refers to an article from the San Francisco Chronicle.
3 And that article apparently references some kind of problem
4 between the station staff who were involved in the Petition
5 to Deny. Did you have any role whatsoever in contributing
6 information that appears in this 'Let's Get Personal'
7 article that appears as Exhibit 1 to Mr. Ramirez's
8 declaration?

9 A Yes, I talked to Jerry Carroll.

10 Q And if you could read through here and then point
11 out any information that you provided to him that appears in
12 this article?

13 A Well, there's some things that are actually wrong
14 in here that Mr. Carroll didn't get correctly. We didn't
15 hire a lawyer. The petition had already been filed at that
16 point.

17 Q And what does the article state?

18 A It states that, 'staff members seething over job
19 posting issues have hired a lawyer, they're preparing a
20 license challenge with the Federal Communications
21 Commission. Dave Radlauer, who had a Jazz program at KALW
22 for 13 years said, 'I'm reluctant to say much because I left
23 the station on good terms, he hopes to syndicate his popular
24 show or find a place somewhere else on the local radio
25 dial.'

1 Q Now, what's that in reference to?

2 A He was one of the programmers at the station, one
3 of the hosts, who GGPR actually represented, to try to do
4 national programming for his show. Dave was, Dave supported
5 the efforts of GGPR but he didn't sign a declaration or
6 anything like that.

7 Q And he had had some program that was at KALW?

8 A Yes, called Jazz Rhythm.

9 Q And what happened with that program?

10 A Jeff Ramirez I think canceled it.

11 Q Roughly in this time frame?

12 A May have been.

13 Q December 1997 - January 1998 time frame?

14 A I don't recall but it may have been.

15 Q Now, when you move on to Exhibit 2, there was a
16 reference in the opposition and in Mr. Ramirez's
17 declaration, do you know what this is all about, where it
18 says, 'Jeffrey, we can hurt you in many ways, think about
19 it', what was that all about?

20 A I have no idea.

21 Q Did you have any role whatsoever in what appears
22 here as Exhibit 2?

23 A None whatsoever.

- 24 Q And then apparently the person is creative, and
25 you had mentioned the Dracula stamp?

1 A Or something, yeah, I remember seeing this when we
2 received it.

3 Q And did you have any role whatsoever in sending en
4 velope that had a Dracula stamp on it to Mr. Ramirez?

5 A No, none whatsoever.

6 Q Just for clarification's sake, the next document
7 that appears, Exhibit 3 of Mr. Ramirez's declaration in
8 January 1998, there's a letter, can you tell me, did you
9 author this letter?

10 A Yes, I did.

11 Q And that's your signature?

12 A Yes.

13 Q That's your handwriting?

14 A Yes, it is.

15 Q Very nice handwriting. Now, we spoke a little bit
16 about Mr. Helgeson, but I don't think I asked you whether or
17 not you had any opinion as to his truthfulness?

18 A I don't have any direct, I did not have any direct
19 observations of Mr. Helgeson's work performance, however, I
20 do know that he has been widely assailed for being
21 disorganized and for late filings and things that he's
22 responsible for within SFUSD. I remember, not within SFUSD,
23 but that the radio station actually lost money to the
24 Corporation for Public Broadcasting because those CPB
25 documents, maybe those or some others that he's responsible

1 for, or was responsible for, were late. And you're fined
2 1/365 th of your check that you get, your CSG check,
3 Community Service Grant, and others, you're fined that per
4 day for, you know, lateness. And they had a lot of time to
5 get this stuff in, to get it done. So, these are things
6 that I had heard. I do not have any direct experience
7 though with them.

8 Q All right. So, in other words, in response to a
9 question do you have any opinion as to its truthfulness, the
10 answer would be no, that you had no opinion?

11 A No, I guess my opinion would be, my opinion is
12 that I would be suspicious of anything Bill Helgeson said in
13 regards to filings, in regards to documents, that he's
14 responsible for.

15 Q And that's based on your understanding of the
16 timeliness of this one submission to the Corporation for
17 Public Broadcasting?

18 A It's based on years of complaints that I've heard
19 from people at the radio station, from Joanne Mar to Michael
20 Johnson, who was actually the General Manager of the radio
21 station over Bill Helgeson, to, there may have been one
22 other person who had direct contact with him.

23 Q Do you have any knowledge as to Mr. Helgeson's
24 reputation as to character?

25 A Not directly, no.

1 Q I believe I asked you this question once before
2 but I just want to make sure, did you ever remove anything
3 from KALW's public inspection file and not return it to the
4 place from which you took it?

5 A No.

6 Q Are you aware of anyone who removed anything from
7 KALW's Public File but did not return it to the place from
8 which it was taken?

9 A No.

10 MR. SHOOK: Mr. Lopez, I have no further
11 questions, but I would guess that Ms. Repp has a few.

12 MS. REPP: I do indeed. Let me get organized.

13 BY MS. REPP:

14 Q Very early on, Mr. Lopez, when you were talking
15 today, you mentioned you were talking about former
16 Superintendent Rojas, and you mentioned allegations of graft
17 and said that he wasn't personally involved, but I believe
18 you referred to graft at KALW, and I was wondering if you
19 misspoke about that and meant graft or other issues within
20 SFUSD more generally?

21 A Yeah, other issues within SFUSD, and within the
22 lineage of KALW up through the chain, the person who was
23 responsible for KALW above Michael Johnson, within his
24 department, there are people I believe who were indicted and
25 I think actually sent to prison for graft.

1 Q So, this would be after 1997, if it was during the
2 period when Michael Johnson was General Manager?

3 A When they were sent to prison, I believe, but it
4 may, I'm not sure what the situation was regarding the
5 actual indictments but it may have come under fraud.

6 Q You're not aware of any allegations of graft or
7 misappropriation of funds at KALW?

8 A No, no, I'm not.

9 Q Mr. Shook showed you this document which is dated
10 April 5, 2001, from the Sanchez Law Firm to the FCC date
11 stamped received April 6, 2001, which we discussed was one
12 of the filings made by SFUSD with the FCC, and we looked at
13 some of the exhibits. I note that -- could you read the
14 title of this page?

15 A Sure. 'Issues Program List Last Quarter 1997".

16 Q So, by definition the last quarter of 1997, when
17 would you have expected this particular document to have
18 been generated?

19 A In January of 1998 perhaps.

20 Q Therefore these particular documents you would not
21 have expected to have been in the Public File in July of
22 1997 when you reviewed it?

23 A Under this heading, no.

24 Q Did you review the Public File after January 10,
25 1998?

1 A I may have, I don't recall if I did.

2 Q When you did review the Public Inspection File in
3 July 1997, were you looking under the folder headings or did
4 you look at every page of the file?

5 A I looked at every page in the drawer.

6 Q And there was one drawer?

7 A Actually I looked in, you know, I can't recall
8 but, I may have looked in two drawers because it didn't
9 exist, it existed in such skeletal form that I just looked
10 at whatever I could find to see if I could find a public,
11 any evidence in the Public File.

12 Q So, the matters may have been spread out over more
13 than one drawer. Was there a drawer that was labeled Public
14 File?

15 A I don't recall if there was. But, I know what a
16 Public File looks like so that's what I was looking for.

17 Q In terms of what you understand for the Public
18 File, was it your understanding in July of 1997 that the
19 Issues Programs List had to detail programs of local
20 origination?

21 A Yes. My understanding was that a station needs to
22 keep a list of the issues that they, the issues that are
23 important to the community that are addressed in their
24 programming, whether or not it's local, even if a national
25 -- I mean they can -- it's not that these things are

1 required but, if National Public Radio does a story on San
2 Francisco, and it's on AIDS and it's over the airways of
3 KALW, then if KALW elects to they can use that as one of
4 their issues that they're addressing, or if they do it
5 locally they can. That's my understanding.

6 Q So, your understanding is that the programming did
7 not need to be of local origination so long as it met local
8 needs interests?

9 A Yes, right.

10 Q So, when you went looking through the file in
11 July of 1997, you would not have just been focusing on local
12 programs for issues?

13 A Right.

14 Q You would have looked for national programs such
15 as NPR?

16 A Yes.

17 Q Did you see, in your review of the files, in July
18 1997, any program guides that were issued by KALW on a
19 quarterly basis?

20 A No, I didn't.

21 Q When you were reviewing the file in 1997, did you
22 see any Quarterly Issues Programs List that would have been
23 generated based on NPR programming?

24 A No.

25 Q Could I direct your attention to this part of the

1 April 5, 2001 response by SFUSD and the topic page says,
2 'Quarterly Issues Programs Listing' and then under that
3 could you read the heading?

4 A Yes. 'Issues Programs National Public Radio
5 Programs'.

6 Q And then beneath that?

7 A 'Subject List'.

8 Q And I know it's pretty hard to read but, they
9 appear to have some dates, can you read the dates?

10 A April 1, 1997 to July 1, it looks like 1897 but I
11 think it's 1997. So, it's the second quarter.

12 Q Right. So, this particular document would not
13 have been in the file when you reviewed it in July --

14 A Right, that was not in the file.

15 Q -- of 1997, but were any similar documents like
16 this for prior periods in the file?

17 A No, they weren't.

18 Q Could you read off some of these bulleted items
19 that continue down after 'Subject List'?

20 A Sure. 'Acquired Immune Deficiency Syndrome, Age,
21 Agriculture, Arms Control, Art, Business'.

22 Q Okay, thank you. What do you understand these
23 bulleted items, that you just read, to mean?

24 A These are the issues that NPR says that their
25 programming covers, based on the subsequent list of the

1 actual stories that appeared on All Things Considered,
2 Weekend Edition, Morning Edition and other NPR shows.

3 Q So, turning to where it says page two of twelve in
4 this document, under the title 'Key' and 'Program Title',
5 could you read the -- explain to me how you understand the
6 first line?

7 A Right. So, this would be ACQU might be, so that
8 would be AIDS. Andy Bay, I guess an interview with Andy
9 Bay, who probably has AIDS, is a jazz musician. Linda
10 Worthheimer did the story.

11 Q And do they give the date the program ran?

12 A Yes.

13 Q And this item, would that be the duration of the
14 program?

15 A That would be the duration, yes.

16 Q So, for example, down at the bottom of the page,
17 that line, could you read that to me and your understanding?

18 A Yes. 'Augustine --', oh --

19 Q Of the first page, first column?

20 A Right, 'Art - Guston Exhibit of Early Iowa City
21 Works, Morning Edition'. That was Philip Guston, actually
22 know about this, he was in Iowa City where the University of
23 Iowa was for awhile, and Philip Guston was an artist.

24 Q Based on your understanding, having been a General
25 Manager, would this first column, the listing of the subject

1 matter meet the requirements for being an issue for an
2 Issues Programs List?

3 A In an exhaustive sense, yes, but in the spirit I
4 think of the FCC rule, I would say no, because I don't
5 believe that Haitian Food Aid Harms Rice Farmers is a
6 community issue in San Francisco. So, I believe that what
7 the GM, what I did as a General Manager, would be to look at
8 something like this, if I used this, and there were plenty
9 of local things so I never really relied on this but, if you
10 wanted to use this, I think you would have to ferret out
11 these things because I don't think that this is fair to the
12 public to have to make them wade through many issues that
13 have nothing to do with the community.

14 Q And your concern is that the list is over
15 inclusive but not -- is that yes?

16 A Yes.

17 Q But not under inclusive?

18 A But not under inclusive.

19 Q But your feeling would be if somebody wanted to
20 wade through it, that they could find issues of local
21 importance in the NPR programming that addressed them?

22 A They could, if they wanted to spend that time they
23 could.

24 Q Mr. Lopez, you had mentioned that one of the
25 purposes of forming GGPR was to provide a vehicle for the

1 task force recommendations to be realized?

2 A Right.

3 Q Could you explain how, when your entrees' to the
4 board were not responded to, how the filing of the Petition
5 to Deny would further the goal that GGPR was formed for?

6 A We were sort of at a crossroads because we didn't
7 want to hurt the radio station. We didn't want to hurt the
8 -- I mean the last thing in the world that we wanted was,
9 what would have been worse, and forgive me for just blurting
10 it out but, we didn't want the radio station to suddenly
11 just go out on the open market, so to speak, and get snapped
12 up by a politist broadcaster. So, we were very concerned
13 about that. We felt like the evidence that we had was not
14 splitting hairs, was very serious. We felt that the
15 circumstances were such that we had to act, and I had heard
16 from some of my engineering friends at commercial stations,
17 that there was a public station that had been assessed in
18 value. My experience in broadcasting is that you don't
19 assess the value of a radio station unless you're thinking
20 of selling it.

21 Now, we had no idea, I had no idea how to find out
22 what station it was that some broker had assessed in value,
23 but our feeling was that either Jerry Jacob or somebody
24 within SFUSD under Rojas was trying to position this
25 station, KALW, for a sale. This was my feeling actually,

1 and was one of the reasons why I pushed for this, and in
2 some way it kind of dawned on me, well, if you broker a
3 station for ten million, 14 million or whatever, if you keep
4 25 percent, that's not a bad payday. And we didn't have the
5 evidence for it but, we felt that filing a Petition to Deny
6 could at least, if it stuck, we could stop that, if that
7 were happening in the background, and we had no knowledge of
8 that.

9 Secondly, --

10 Q Just a moment. How would the filing of the
11 Petition to Deny stop a potential sale?

12 A Well, if the petition were accepted by the FCC,
13 then that would have to be ferreted out first before the
14 station or before SFUSD could just go ahead with the sale.

15 Q In other words, there would be a cloud on the
16 license that would scare off a potential purchaser?

17 A Could be. Or the FCC could say you can't sell the
18 station until we go through this. We, quite frankly, we did
19 not expect it to be successful. We expected the wheels of
20 bureaucracy to just spit this out and it would be over and
21 done with. We did not expect, if I may speak extremely
22 candidly here, when Alan Corne informed us that it didn't
23 serve them correctly, we're not lawyers, we didn't know
24 there was a USC out there, you know, United States Code, in
25 terms of how to serve all this, so we thought everything was

1 in that book, we didn't know there were other ones. Alan
2 just said, well, you tried, good job, you know, you tried,
3 it was an effort but, you know, it's over. I mean they'll
4 just have this thrown out because you didn't serve them
5 correctly. We were shocked that SFUSD accepted the
6 petition, that Ernie accepted it, Ernie Sanchez. And along
7 the way we have been more and more shocked at the building
8 of SFUSD's case on what we considered to be very shaky
9 ground and very glaringly there were circumstantial stuff
10 happening around all this, which is one reason why I did not
11 reply to the very last thing that came out, which was
12 Ernie's reply to my reply to the questions, you know, 2001
13 questions, because I just thought, you know, I just don't
14 want to be the one responsible for sinking this radio
15 station. I mean, you know, I just felt there are more lies
16 on that thing about donor lists and whatever, and I just
17 thought I'm out, I don't want anything to do with this
18 anymore, because they are just, they're tearing this, you
19 know, they're allowing the whole weight of whatever
20 corruption or whatever is going on in the background to just
21 implode on itself. And so we never expected any of this
22 stuff to go down this route. We thought someone would wake
23 up at some point and say, look, we've got to do something
24 about this radio station, it's in the KALW task force, you
25 know, very experienced people that we had nothing to do

1 with.

2 So, anyway, that is why we filed the petition. We
3 felt that at that point that it was one move to try to get
4 the last second, last ditch attempt to really try to get
5 someone's attention to the fact that you need to do
6 something here. We never expected it to get to this point.

7 Q So, was it your hope up through 2001, when you
8 started to think twice about it, that perhaps SFUSD might
9 come to GGPR and try to implement the task force?

10 A Not up to 2001. I guess I sort of lost hope that
11 the Board of Education would recognize any problems that
12 needed to be fixed, especially with regard to the KALW task
13 force report. And regardless, I mean I think GGPR, once we
14 filed the petition, of course GGPR is out of the picture in
15 terms of anyone on the board listening to us, but I think we
16 were hoping that at some point that internally somebody
17 would take a look at what Ernie Sanchez was producing for
18 SFUSD and say wait a minute, let's take a look at what's
19 going on here, you know, you don't have to come to us but at
20 least somebody take a look at what was going on. So, I
21 think that's kind of where we were.

22 Q Well, now you mentioned that Dave Evans came to
23 that, a similar conclusion but earlier in the game, in terms
24 of he was concerned. Did you not share those concerns with
25 him at the time that he dropped out of GGPR?

1 A Well, Dave's concerns weren't so much that he
2 didn't want to be involved. He didn't want to be -- and
3 again I think it's splitting hairs on his part but, he
4 didn't want to be formally involved with GGPR as if he were
5 a traitor but, I don't think he was a traitor because I
6 think he was looking at the overall picture of broadcasting
7 and the place on the radio station within that, and not
8 necessarily within SFUSD.

9 Q Are you aware of what Mr. Evans' health situation
10 was in 1996, 1997?

11 A Yes.

12 Q And was he ill at that time?

13 A Yes, he was.

14 Q Did he have AIDS?

15 A Yes, he did.

16 Q Was he reporting to work on a daily basis?

17 A I don't know if he was or not. I know that his
18 presence there was felt in the sense that he frequently
19 called people, especially operators who were running the
20 equipment, and was able to perform certain engineering tasks
21 from home.

22 Q Was he physically able to perform engineering
23 tasks as the station?

24 A Yes, he was.

25 Q And was he able to physically perform tasks at the

1 transmitter site?

2 A Yes.

3 Q How would you know that, did you accompany him?

4 A I accompanied him.

5 Q Are you aware of any concerns that Dave Evans had
6 about maintaining his employment during that period at the
7 station?

8 A Yes.

9 Q Can you elaborate as to what his concerns were?

10 A I think he -- well, he told me that he was
11 concerned about Bill Helgeson trying to get him fired or get
12 him out.

13 Q Was there anyone else he was concerned, who were
14 trying to get him fired?

15 A I don't know.

16 Q Did he give any reasons as to why he thought Bill
17 Helgeson might be trying to get him fired?

18 A There is something in our filings about that, that
19 I am not really that aware of, but I believe Joanne Mar is
20 someone who knows a lot about that situation, but I don't
21 know much about that.

22 Q Do you think that part of Dave Evans' motivation
23 in pursuing the GGPR petition had to do with his concerns
24 about his position at the station?

25 A No. Because I don't think he would have been

1 involved with this. I don't think he would have taken a
2 risk like that. I think he would have steered completely
3 clear of it, this would probably never have happened.

4 Q Did you feel it was risky to you personally?

5 A Yes.

6 Q To file the petition?

7 A Definitely.

8 Q In terms of your relationship with Jeff Ramirez,
9 you had mentioned the program proposal that you made to him,
10 were you upset that he had not responded or paid attention
11 to it?

12 A No.

13 Q Were you disappointed?

14 A I was disappointed.

15 Q You said you later developed that into a program
16 elsewhere?

17 A Well, on KALW.

18 Q On KALW?

19 A Yes.

20 Q Under?

21 A Under Michael Johnson.

22 Q I assume you were happy when Michael Johnson was
23 named General Manager?

24 A I guess so. I mean I thought it was weird.

25 Q In what way was it weird?

1 A Well, because he supported the petition.

2 Q Had you talked with Michael about any programming
3 matters before he became General Manager?

4 A Just in general about the radio station.

5 Q But not about your specific program proposal?

6 A No.

7 Q So, you kept it for that period of time under
8 wraps and then brought it to Mr. Johnson's attention?

9 A Um-hum, with a new GM, yeah, I brought it to his
10 attention.

11 Q And it was then produced at KALW?

12 A Well, I actually produced it at home on my own, in
13 my own little home studio.

14 Q There were many instances today where Mr. Shook
15 asked you where exhibits to the GGPR petition, or reply,
16 where it came from, and in many of those circumstances Dave
17 Evans produced them. You had mentioned earlier in your
18 testimony that Dave Evans had the keys. Were some of these
19 items in locked drawers?

20 A I don't know.

21 Q What were you referring to when you said that Mr.
22 Evans had the keys?

23 A Well, he had keys to, he's sort of like the uber
24 custodian of the radio station, he had access to everything.
25 And when we had a meeting about filing the petition, I mean

1 it was, you know, we went back and forth quite a bit on
2 whether we should do this or not, and the one thing that we
3 were missing of course was documentation to backup our
4 claims, you know, we couldn't just say they're hiring people
5 without following any Civil Service, State, National, you
6 know, Federal or FCC or EEO rules, and we need documentation
7 showing that they actually were hired and that sort of
8 thing. So, when we had these meetings, the only person that
9 really had access to getting that stuff was Dave. And Dave
10 volunteered to produce the document that we needed, to at
11 least show that these things were happening.

12 Q Is that your understanding that Mr. Evans would be
13 going into files for which he was not authorized?

14 A Actually no, I wasn't sure where he was going to
15 get them.

16 Q Did you become aware of that after the filing of
17 the petition, that there may have been files for which
18 Mr. Evans was not authorized access to?

19 A Once I received the opposition, yes, then I was
20 aware.

21 Q In terms of the -- I'm not sure we put into the
22 record a discussion of the redacted exhibit, and you'll
23 forgive me, I need to find that. Here's a copy, it's called
24 'Redacted Copies of Exhibit C to GGPR's reply'?

25 A Right.

1 Q I believe it was filed by GGPR?

2 A Right.

3 Q In the FCC records. And you'll see, can you tell
4 me what you see on this page here?

5 A Yeah, this is a pledge form and it's basically
6 something that a person fills out when they are a volunteer
7 at the radio station, and they get a call from somebody who
8 is going to pledge money to the radio station, and this is
9 what they fill out when someone calls up and makes a pledge.

10 Q Now, how was this document obtained by GGPR, these
11 documents, these pledge forms?

12 A These are just left lying around the radio
13 station, and actually they're left, these I believe are just
14 left in open boxes, they're not filed or stored. In fact, I
15 think some of these may have been, there may have been
16 earlier ones, maybe not this particular batch but some I
17 think where they take and they rip them in half and make
18 notepaper out of them and then use the other side to take
19 notes.

20 Q Were you in charge of -- did you locate the actual
21 pledge forms that constituted Exhibit C, page one of 14?

22 A Did I do what?

23 Q Did you obtain the forms that were submitted?

24 A Yes, I did.

25 Q So, you, do you recollect exactly where you found